



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s)	Gruening, et al.	Examiner:	Soo Yong Chung
Serial No.:	10/788,663	Group Art Unit:	1617
Confirmation No.:	3625	Docket:	136-36
Filed:	February 27, 2004	Dated:	January 10, 2008
For:	ANTI-INFECTION HYDROGEL COMPOSITIONS		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the decision of the Primary Examiner, mailed July 10, 2007, finally rejecting Claims 24-32, 34-36, 38, and 41-51.

The item(s) checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of

- ☐ other than a small entity.  
☒ small entity.

A verified statement claiming small entity status

- ☐ is attached.  
☐ was already filed on \_\_\_\_\_.

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

- ☒ Deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature \_\_\_\_\_

Date: January 10, 2008

**FACSIMILE**

- ☐ Transmitted by facsimile to the Patent and Trademark Office

01/14/2008 EHAILE1 00000047 002461 10788663

01 FC:2401 255.00 DA

01/14/2008 EHAILE1 00000047 002461 10788663

02 FC:2253 525.00 DA

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

<input checked="" type="checkbox"/>	small entity	\$255.00
<input type="checkbox"/>	other than small entity	\$500.00
	Notice of Appeal fee due	<b><u>\$255.00</u></b>

3. **EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (A) or (B), as applicable)

(A) ☒ Applicants petition for an extension of time under 37 CFR 1.136 for the total number of months checked below (fees: 37 CFR 1.17(a)-(d)):

	Extension (months)	Fee for Other than <u>Small Entity</u>	Fee for <u>Small Entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$225.00
<input checked="" type="checkbox"/>	three months	\$1,020.00	\$510.00
<input type="checkbox"/>	four months	\$1,590.00	\$795.00

Fee due for indicated extension **\$510.00**

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for \_\_\_ months has already been secured. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request = **\$510.00**

(B) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. **TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$ <b><u>255.00</u></b>
Extension fee (if any)	\$ <b><u>510.00</u></b>

TOTAL FEE DUE **\$ 765.00**

5. **FEE PAYMENT**

☐ Attached is a check in the sum of \$765.00

☒ Charge Account No. 08-2461 the sum of \$765.00.

A duplicate of this transmittal is attached.

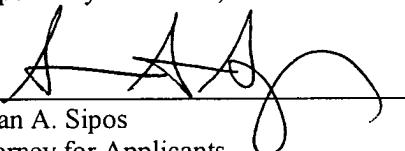
6. **FEE DEFICIENCY**

☒ If any additional extension and/or fee is required or any overpayment has been made, please charge our Deposit Account No. **08-2461** or credit our Deposit Account for such sum.

AND/OR

☒ If any additional fee for claims is required or any overpayment has been made, please charge our Deposit Account No. **08-2461** or credit our Deposit Account for such sum.

Respectfully submitted,

  
\_\_\_\_\_  
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